



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.15959 of 2021

R.Vani

... Petitioner

Vs.

Superintending Engineer,
Tamil Nadu Generation & Distribution
Corporation Ltd.,
Electricity Distribution Circle
Meenatchi Naiken patti
Dindigul.

... Respondents

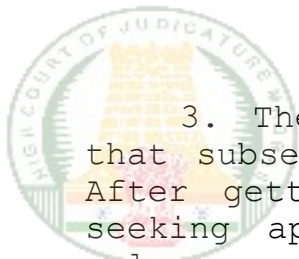
PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the respondent pertaining to K.No.022965/N1P1.1/NIO.4/KO.VA.VE/2020, dated 05.12.2020 and quash the same and to direct him to reconsider the application of the petitioner seeking employment for her son A.C.Thillai Prasad on compassionate ground in the light of (Per) FB TANGEDCO proceedings No.11 dated 11.06.2020.

For Petitioner : Mr.P.Sesubalan Raja
For Respondents : Mr.S.Arivalagan

ORDER

The order of rejection dated 05.12.2020 rejecting the claim of the writ petitioner for compassionate appointment is under challenge in the present writ petition.

2. The husband of the petitioner Mr.A.Chellamani, was working as a Junior Electrical Engineer in TANGEDCO and died on 11.02.2018. The petitioner herself has stated that she was working as a Secondary Grade Teacher in Government Girls Higher Secondary School. When the petitioner herself admitted that she was working as a Secondary Grade Teacher in a Government Higher Secondary School, at the time of death of her husband, thus, the claim of compassionate appointment cannot be extended to the other legal heirs of the family of the deceased employee. The petitioner is seeking employment to her son, as she was working as a Secondary Grade Teacher as on the date of death of the employee on 11.02.2018. The son of the petitioner is not eligible for compassionate appointment.



3. The learned counsel for the respondent made a submission that subsequently the petitioner voluntarily retired from service. After getting voluntary retirement, she submitted an application seeking appointment on compassionate appointment. However, the relevancy is the date of death of the deceased employee and not the voluntary retirement of the wife of the deceased employee. As on the date of death of the employee, the petitioner, who is the wife of the deceased employee, was working as Secondary Grade Teacher. Therefore, the family is not entitled to avail the benefit of scheme of compassionate appointment. Subsequent voluntary retirement cannot be considered to claim and if such claims are permitted, then every family of the deceased employee will make an attempt to give voluntary retirement for the purpose of securing employment for the legal heirs. Therefore, the order of rejection is in consonance with the scheme.

4. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

RR

To

Superintending Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd.,
Electricity Distribution Circle
Meenatchi Naiken patti
Dindigul.

ORDER MADE IN

W.P. (MD)No.15959 of 2021

07.03.2022

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